

The Innocence Project
100 Fifth Avenue, 3rd Floor
New York, NY 10011-6903
212-364-5340

Co-Counsel for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF ALASKA

WILLIAM G. OSBORNE,

Plaintiff,

vs.

DISTRICT ATTORNEY'S OFFICE FOR
THE THIRD JUDICIAL DISTRICT,
ANCHORAGE, ALASKA; SUSAN A.
PARKES, DISTRICT ATTORNEY, in her
official capacity; ANCHORAGE POLICE
DEPT., ANCHORAGE, ALASKA;
WALT MONEGAN, ANCHORAGE
POLICE DEPT.

Defendants.

Case No. A03-0118 CV

Affidavit of Colin Starger

1. My Name is Colin Starger and I submit this affidavit in support of application for fees and costs in the above captioned manner.
2. I work as a Staff Attorney at the Innocence Project in New York. The Innocence Project is a non-profit legal organization that represents indigent prisoners in their quest to seek DNA testing. The Innocence Project has

represented William Osborne in his effort to obtain post-conviction DNA testing. We maintain that Mr. Osborne has a federal constitutional right to this testing, and that defendants violated his rights by denying him access to biological evidence used to convict him for the purpose of DNA testing.

3. Within our capacity as a non-profit organization, the Innocence Project never charges its clients fees for legal services rendered. Our work is funded by private individuals, foundations, and Yeshiva University.
4. Because we never charge our clients, we do not as a practice keep track of our "billable" hours. Therefore, I make the following submission for fees based upon a conservative estimate of hours I have worked on those briefs that I have authored during this litigation.
5. I was the primary author of the briefs listed below. My estimated hours are listed after the name and filing date.

(1) Plaintiff's Response to Motion to Dismiss. (Filed 12/2/03 in District Court).

Hours spent: 10.

(2) Motion of Out-Of-State Attorney to Participate. (Filed 12/11/03 in District Court).

Hours spent: 0.5.

(3) Plaintiff's Objections to Magistrate's Recommendations. (Filed 1/20/04 in District Court).

Hours spent: 10.

(4) Appellant's Opening Brief On Appeal. (Filed 9/14/04 in 9th Circuit).

Hours spent: 15.

- (5) Appellant's Reply Brief On Appeal. (Filed 12/6/04 in 9th Circuit).

Hours spent: 8.

- (6) Plaintiff's Motion for Summary Judgment. (Filed 11/16/06 in District Court).

Hours spent: 15.

- (7) Plaintiff's Reply Memorandum in Support of Motion for Summary Judgment. (Filed 3/13/06 in District Court).

Hours spent: 8.

- (8) Plaintiff's Response to Motion to Stay Proceedings. (Filed 3/22/06 in District Court).

Hours spent: 5.

- (9) Plaintiff's Response to Defendants' Cross Motion for Summary Judgment. (Filed 6/5/06 in District Court).

Hours spent: 5.

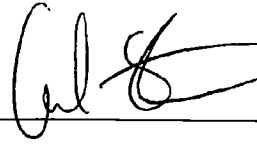
- (10) Supplemental Memorandum Addressing House v. Bell. (Filed 7/18/06 in District Court).

Hours spent: 2.

Total Hours Spent: 78.5

6. There have been additional costs associated with my trip to Alaska for the purpose of participating in a summary judgment argument. These costs total \$1666.74, and are itemized in attachment A.

I swear that the foregoing
is true and correct,

A handwritten signature in black ink, appearing to read 'Colin Starger', is written over a horizontal line.

Colin Starger
9/19/06

The Innocence Project
100 Fifth Avenue, 3rd Floor
New York, NY 10011-6903
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DISTRICT ATTORNEY'S OFFICE FOR
THE THIRD JUDICIAL DISTRICT,
ANCHORAGE, ALASKA; SUSAN A.
PARKES, DISTRICT ATTORNEY, in her
official capacity; ANCHORAGE POLICE
DEPT., ANCHORAGE, ALASKA;
WALT MONEGAN, ANCHORAGE
POLICE DEPT.

Defendants.

Attachment A to Affidavit of Colin
Starger

The Innocence Project, Inc.

100 Fifth Avenue, 3rd Floor • New York City, NY 10011

Expense Form for Travel & Expense Reimbursement or Vendor Payment

Upon Completion, send to David Buxbaum, Director-Fin & Ops 212/364-5353

Requestor	Colin Starger
Department	Legal
Address	100 5th Ave
Address	
City/State/Zip	NY
Telephone	ext. 5361

Expense Payment / Reimbursement Authorization

Line	Date	Dept	Project	Expense Category	Code	Description of Expense	US\$ Amount
1	05/30/06	Legal	Project	Travel/Tickets	8510L00	Flight from New York to Anchorage, Alaska for Osborne hearing.	\$1,137.92
2	06/05/06	Ditto	Ditto	Travel/Hotel and Meals	8530L00	Hotel room in Anchorage, for two nights.	\$414.38
3	06/05/06	Ditto	Ditto	Travel/Autos and Taxis	8520L00	Cab ride in AK	\$10.00
4	06/07/06	Ditto	Ditto	Travel/Autos and Taxis	8520L00	Cab ride in AK	\$22.00
5	06/08/06	Ditto	Ditto	Travel/Hotel and Meals	8530L00	Snack at airport	\$2.44
6	06/07/06	Ditto	Ditto	Travel/Hotel and Meals	8530L00	Food at Snow City Café	\$11.25
7	06/07/06	Ditto	Ditto	Travel/Autos and Taxis	8520L00	Cab ride in AK	\$20.00
8	06/05/06	Ditto	Ditto	Travel/Hotel and Meals	8530L00	Snack at airport	\$3.57
9	06/07/06	Ditto	Ditto	Travel/Hotel and Meals	8530L00	Food at airport	\$5.78
10	06/05/06	Ditto	Ditto	Travel/Autos and Taxis	8520L00	Toll to airport	\$4.50
11	06/08/06	Ditto	Ditto	Travel/Autos and Taxis	8520L00	Bus to LGA	\$12.00
12	06/05/06	Ditto	Ditto	Travel/Autos and Taxis	8520L00	Cab ride	\$22.90
13		Ditto	Ditto	Expense Category	NA		
14		Ditto	Ditto	Expense Category	NA		
15		Ditto	Ditto	Expense Category	NA		
16		Ditto	Ditto	Expense Category	NA		
17		Ditto	Ditto	Expense Category	NA		
18		Ditto	Ditto	Expense Category	NA		
19		Ditto	Ditto	Expense Category	NA		
20		Ditto	Ditto	Expense Category	NA		
21		Ditto	Ditto	Expense Category	NA		
Total Expense							\$1,666.74

Less: Reduction for Corporate Charge Card Amounts or Personal Expense Deductions

Amount Due \$1,666.74

By signing below, the Requestor certifies that this claim is correct in every particular and is in accordance with Innocence Project's Reimbursement Policies.

Attach all ORIGINAL receipts to this invoice (canceled checks or credit card statements are not adequate) and a copy of all packing slips, if applicable

Requestor Signature  Date 6/8/06

Supervisor (dept heads go to M. deLone)  Date 6/12/06

Check Made Out To: Vendor - Fill in details below & due date

Send To: Vendor Name Colin

Bill Address 1:

Bill Address 2:

City/State/Zip:

Attention:

Telephone:

Payment Due Date

ASAP--will mail check out

Finance Dept Signature

Date

06/08/06 6:28 PM

S:\Litigation Department\Expenses\Colin\Alaska Trip_060806.xls\expense

Aja Gair

From: The Travelocity Team [Member@p21.travelocity.com]
Sent: Tuesday, May 30, 2006 5:21 PM
To: Aja Gair
Subject: [BAYESIAN SPAM] - Travelocity airline confirmation for Anchorage, AK trip - Bayesian Filter detected spam



travelocity
thank you! travel reservation
 confirmation

Dear COLIN,

Thank you for booking your travel through Travelocity!

Your e-tickets are confirmed. Please refer to the Travel Checklist for helpful before-you-go reminders.

One important friendly reminder: This is an e-ticket, so no paper ticket will be mailed to you.

Your Itinerary

This trip information is also available in My Stuff

Your Confirmation Information:

- E-tickets are confirmed with the airline.
- Travelocity Trip ID: 696790807883

Travel Tools:

- [Meal Request](#)
- [Check for Airport Delays](#)
- [Change or cancel this reservation](#)
- [Lookup Flight Status](#)
- [Destination Guides](#)

All times are local to each city

New York-LaGuardia, NY (LGA) to Anchorage, AK (ANC)**Total Travel Time: 10hrs 24min**

Please check in at Northwest Airlines ticket counter.

[Change or cancel this reservation](#)

Mon, Jun 05 01:29 PM to 03:22 PM New York-LaGuardia, NY (LGA) to Minneapolis/St Paul, MN (MSP)
 2hrs 53min - nonstop

Northwest Airlines Flight 1043
 Airbus Jet- Economy

>Extras

Requested Seats 19A

Stop - Change planes in Minneapolis/St Paul, MN (MSP)

Connection Time: 1 hr 53 min

Mon, Jun 05 05:15 PM to 07:53 PM Minneapolis/St Paul, MN (MSP) to Anchorage, AK (ANC)
 5hrs 38min - nonstop

Northwest Airlines Flight 845
 Boeing 757 Jet- Economy

>Extras

Requested Seats Check in at Airport for Seat Assignment.

Anchorage, AK (ANC) to New York-LaGuardia, NY (LGA)**Total Travel Time: 8hrs 59min**

Please check in at Northwest Airlines ticket counter.

[Change or cancel this reservation](#)

Wed, Jun 07 09:40 PM to 05:58 AM Anchorage, AK (ANC) to Minneapolis/St Paul, MN (MSP)
 Arrive next day 5hrs 18min - nonstop

Northwest Airlines Flight 844
 Boeing 757 Jet- Economy

>Extras

Requested Seats Check in at Airport for Seat Assignment.

Stop - Change planes in Minneapolis/St Paul, MN (MSP)

Connection Time: 1 hr 2 min

Thu, Jun 08 07:00 AM to Minneapolis/St Paul, MN (MSP) to Northwest Airlines Flight 774
 10:39 AM New York-LaGuardia, NY (LGA) Boeing 757 Jet- Economy
 2hrs 39min - nonstop

>Extras

Requested Seats Check in at Airport for Seat Assignment.

Passenger Information[Back to top](#)

Passenger Name †	Airline	Frequent Flyer	Ticket Number ††
Colin Starger		You can add frequent flyer number at the airport.	0127760841027
† Passenger name on the reservation must match your government issued photo ID			
†† Ticket number is a number assigned by the airline to your e-ticket			

Complete your travel plans!

- [Book a Hotel](#)
- [Book a Car](#)
- [Book Activities, Shows and Tours](#)

Travel Checklist[Back to top](#)

- **Printed Itinerary** - As you will not receive a paper ticket, we suggest you print this email to take along with you on your trip.
- **Photo ID** - Every passenger needs a valid government-issued photo ID (such as driver's license or passport.) Name on photo ID must match the passenger name in your reservation.
- **Terminal/gate information** - Check with the [airline](#) for updated terminal/gate information the day of your travel. Also please note, you can verify the [flight status](#) online.
- **What to expect at the airport** - The airline will issue your boarding pass upon check-in.

Billing Information - Pricing in U.S. dollars[Back to top](#)

Total Airline Charges (includes taxes & fees) **\$1,132.92**
 Total Travelocity Fees (see details below) **\$5.00**

Amount charged to xxxx-xxxx-xxxx-8084

\$1,137.92 ✓**Travelocity fees per ticket include:**

Nonrefundable Service Fee.

Credit Card Statement Notes

- Travelocity Fees and airline charges will be shown as separate line items on your credit card statement.
- Your credit card statement may show separate airline charges for each passenger, as listed below:
- Colin Starger: \$1132.92

Change or Cancellation Policies[Back to top](#)**Change Policies**

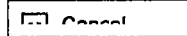
- Your ticket is non-refundable.
- If you modify your trip, airlines usually charge a \$100 penalty, plus any applicable increase in fare.
- Some tickets do not allow any changes.

Need to change this reservation? Please [call us](#).**Cancellation Policies**

- Your ticket is non-refundable.

- If you cancel, you will not receive any money back.
- You may be eligible to apply part of your ticket price towards future travel (for a limited time, usually a year).
- Airlines usually deduct \$100 before determining the amount that can be applied towards future travel.

Need to cancel this reservation? Use our [online cancel tool](#) to determine your refund.



Customer Care

[Back to top](#)

Online Support:

[Search or browse our FAQs](#) | [Send us an email](#)

Phone Support:

When calling, please reference: Travelocity Trip ID: 696790807883

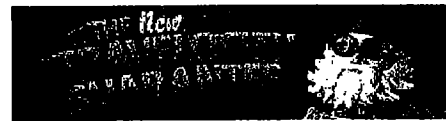
In the US 888-872-8356 (888-Travelocity)
en Español (7am- 11pm CST) 866-828-3933

Outside the USA (1)-210-521-5871
TDD/Hearing Impaired 800-555-7585



Everything about your booking will be RIGHT,
or we'll work with our partners to make it right, right away. [Learn more](#)

...and Don't Forget



06/07/06 2:54 AM

NV 2.1 SP3

**ESD Anchorage - Downtown**

108 East 8th Avenue
Anchorage, AK 99501
907-868-1605
Property ID: 9857

Folio # 13664
Starger, Colin
476 Waverten Ave. #2
BROOKLYN, NY 11238
Company: Leisure

Room: 134
Arrival: 6/5/2006
Departure: 6/7/2006

Trans #	Date	Description	Charges	Payments	Balance
12005	6/5/2006	MASTER CARD	\$0.00	\$414.38	(\$414.38)
12040	6/5/2006	Rm: 134 LV1 - Rack	\$184.99	\$0.00	(\$229.39)
12041	6/5/2006	CITY ROOM TAX	\$22.20	\$0.00	(\$207.19)
12332	6/6/2006	Rm: 134 LV1 - Rack	\$184.99	\$0.00	(\$22.20)
12333	6/6/2006	CITY ROOM TAX	\$22.20	\$0.00	\$0.00
				Balance:	\$0.00

Method of Pay: Credit Card

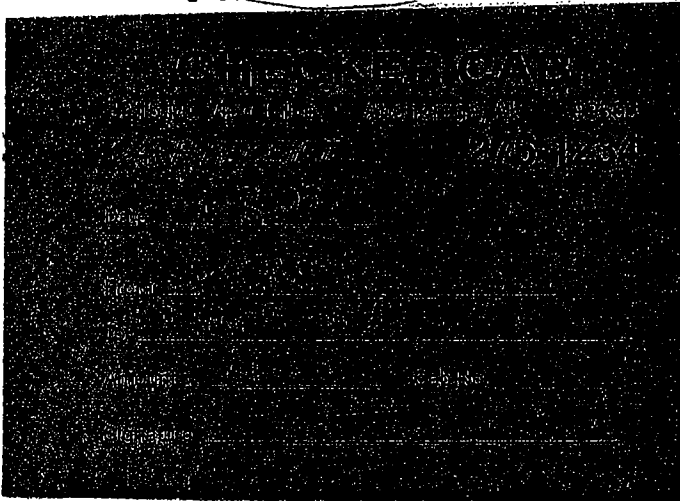
Signature: _____

Folio Summary

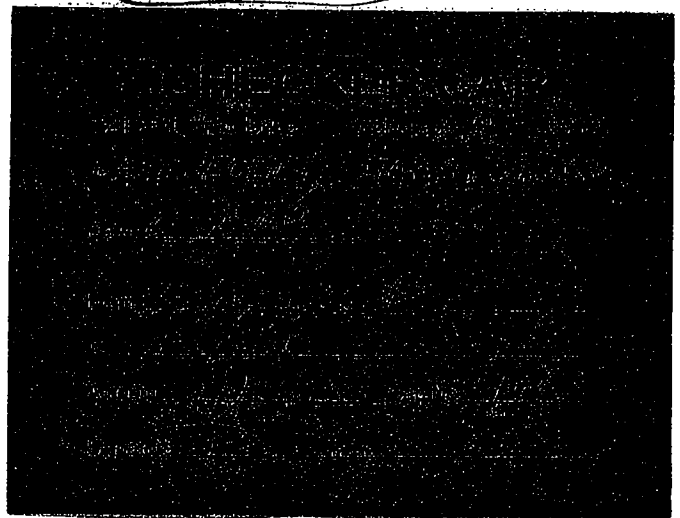
Previous Balance:	\$0.00
Room Charges:	\$369.98
Other Charges/Credits:	\$0.00
Phone Charges:	\$0.00
Tax:	\$44.40
Less Payments:	<u>\$414.38</u>
Total Amount Due:	\$0.00

THANK YOU
WE APPRECIATE YOUR BUSINESS

(Line #3)



(Line #4)



(Line #5)

meal 6/8/06

HwyHost RVC #6
GATE 40 END COMBO
MSP AIRPORT

1378 Almaz

9279 JUN08'06 6:21AM

1 JUICE	2.29
Cash	2.50
Subtotal	2.29
Tax	0.15
Amt Paid	2.44
Change Due	0.04

THANK YOU

meal 6/7/06

SNOW CITY CAFE
ANCHORAGE, AK

104 AISLINN

Chk 8512 Gst 1
Jun07'06 11:19AM

1 JOE'S SPECIAL	9.50
1 COFFEE	1.75

11.25

PLEASE PAY
SERVIR
THANK YOU COME AGAIN

(Line #3)

Anchorage Yellow Cab 272-2422

☒ Cash ☐ Check
PASSENGER'S RECEIPT, TAXICAB FARE

Date: 6/7/06

To: Airport (Anchorage)

From:

Total \$ 2.00

Driver's Name 10/1/06

Cab Number 163

meal 6/5/06

HMSHOST
NATHAN'S
LAGUARDIA AIRPORT

4148 MILAGROS

CHK 9594 JUN05'06 12:55PM

1 CHILI DOG 3.29
 Subtotal 3.29
 Tax 0.28
 Amt Paid 3.57
 Cash 3.60
 Change Due 0.03

Meal 6/7/06

HMS
BURGER KING STORE #11673
PAGE INT'L AIRPORT
ANCHORAGE, ALASKA

4766 Chrystle

CHK 6271 JUN07'06 9:02PM

1 Whopper 3.49
 1 REG Fries 2.29
 Subtotal 5.78
 Amt Paid 5.78
 Cash 10.08
 Change Due 4.30

Your order number is: 6271

Toll to airport (Lafayette)

MTA BRIDGES AND TUNNELS

QUEENS MIDTOWN TUNNEL

COL	PT	DATE	TIME	OPER. ID	AMOUNT
06		06/05/06	11:27	02126	\$04.50

BRO F/Lafayette
RECEIPT 6/8/06New York
Airport Service
15 2nd Ave, Brooklyn, NY 11215
TEL# 718-875-820006/08/06 11:28AM
Agent: 2023 Term: 507
Ticket#: 8DV468Adults: 1 - AFK: 0
LGA to GCTFARE US\$
12.00
NON-REFUNDABLENEW YORK
DATE JUN-06-2006
ST. TIME 11:13AM
END TIME 11:43AM
RATE 1
MILES 8.62
FARE \$ 22.90
Contact TLC Dial 3-1-1Cubs to
Lafayette
6/5/06